

REMARKS

Claims 1-33 are pending in the application. Claims 17 and 18 are objected to as being of improper dependent form. Claims 1-4, 6-7, 9-10, 12-13, 15-16, 18, 21, 24, 27/24 (sic) and 30-32 are rejected under 35 USC 102 as being anticipated by Czech '545. Claims 1 and 11 are rejected under 35 USC 102 as being anticipated by Schaefer '283. Claims 5, 14, 17, 19-20, 22-23, 25, 26, 37/26 (sic), 28-29 and 33 are rejected under 35 USC 103 as being unpatentable over Czech '545 in combination with respective ones of Schaefer '283 or Saltzman '953 or Olson '239 or Kashirin '755 or Haydon '797.

Claim objections:

The dependency of claims 17 and 18 has been amended herein, thereby overcoming the claim objections.

Rejection of claims 1-4, 6-7, 9-10, 12-13, 15-16, 18, 21, 24, 27/24 (sic) and 30-32 under 35 USC 102 in view of Czech '545:

MPEP §2131 provides that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. The identical invention must be shown in as complete detail as contained in the claim. The elements must be arranged as required by the claim. The Czech reference fails to support a rejection under 35 USC 102 because it lacks a teaching of the step of performing a solution heat treatment as required by each of the rejected claims.

The Examiner cites page 5, lines 17-21 of Czech where he discloses a re-diffusion heat treatment as anticipating the claimed solution heat treatment. On the contrary, Czech specifically teaches away from the claimed invention at page 5, lines 19-20 where he states "However, the temperature should always be kept well below the solution temperature of the base material alloy." (emphasis added) Thus, Czech fails to support the rejections under 35 USC 102 and those rejections should be withdrawn.

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Rejection of claims 1 and 11 under 35 USC 102 in view of Schaefer '283:

Claims 1 and 11 have been cancelled herein, thereby rendering moot this rejection.

Rejection of claims 5, 14, 17, 19-20, 22-23, 25, 26, 37/26 (sic), 28-29 and 33 under 35 USC 103 as being unpatentable over Czech '545 in combination with another reference:

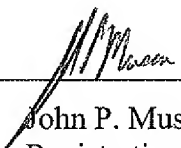
As described above in connection with the rejections under 35 USC 102, the Czech reference teaches away from the present invention, therefore, Czech as a primary reference in combination with any other reference fails to establish a *prima facie* case for the obviousness of any of the rejected claims, and these rejections should be withdrawn.

Conclusion

Based on the above remarks and the amendments made herein, the application should now be in condition for allowance. The Commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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